

Decision Maker: Children and Young People Portfolio Holder

Date: For Pre-Decision Scrutiny by the Children and Young People PDS Committee on 20 March 2012

Decision Type: Non-Urgent Executive Non-Key

Title: **CHILDREN AND FAMILY CENTRES: PROPOSALS FOR THE FUTURE USE OF THE CENTRES**

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Chief Officer: Gillian Pearson, Director, Children and Young People Services

Ward: Boroughwide

1. Reason for report

- 1.1 This report provides an update regarding the rationalisation of Children and Family Centres in Bromley following the CYP Portfolio Holder's decision on 26 September 2011 with pre-decision scrutiny undertaken by the CYP PDS Committee (6/9/11). This was to maintain six Council led and funded Children and Family Centres in the areas of greatest deprivation across Bromley, whilst achieving the required savings of £2.2m as approved by Executive as part of the Council's financial strategy 2011/12, 2012/13 and beyond.

2. **RECOMMENDATION(S)**

- 2.1 **The Children and Young People Policy Development and Scrutiny Committee is asked to consider and comment on:**
- (a) progress made to date in relation to closure of the Children and Family Centres;
 - (b) the alternative uses being pursued;
 - (c) progress made in relation to the Department for Education;
 - (d) the position relating to the timeframe for potential clawback of capital funding being 25 years.
- 2.2 **The Children and Young People Portfolio Holder is asked to approve the strategy for alternative future usage of those Centres which have been determined for closure.**

Corporate Policy

1. Policy Status: Existing Policy
 2. BBB Priority: Children and Young People
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Financial

1. Cost of proposal: Not Applicable
 2. Ongoing costs: Recurring Cost
 3. Budget head/performance centre: Children and Family Centres Bromley Children Project
 4. Total current budget for this head: £4,292,550 (BCP budget 2011/12)
 5. Source of funding: Base budget
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Staff

1. Number of staff (current and additional): Bromley Children Project: 49FTE
 2. If from existing staff resources, number of staff hours: N/A
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Legal

1. Legal Requirement: Statutory Requirement: Children Act 2006
 2. Call-in: Applicable
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Customer Impact

1. Estimated number of users/beneficiaries (current and projected): N/A
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Ward Councillor Views

1. Have Ward Councillors been asked for comments? Not Applicable
2. Summary of Ward Councillors comments: N/A

3. COMMENTARY

- 3.1 This report provides an update regarding the implementation of the decision to rationalise the provision of Council funded Children and Family Centres from 18 to 6, and the proposed future usage of those Centres which have been formally de-designated.

Background

- 3.2 The six Children and Family Centres that will remain council led and funded are:

- Biggin Hill
- Blenheim, situated in Orpington
- Burnt Ash
- Castlecombe, situated in Mottingham
- Community Vision, situated in Penge
- Cotmandene, situated in St Paul's Cray

The Children and Family Centres are located in the highest areas of deprivation and each centre will continue to provide the full “core purpose” as set out by the Department for Education and includes:

- improving outcomes for young children and their families, with a particular focus on the most disadvantaged families
 - providing access to universal early years services in the local area including high quality and affordable early years education and childcare
 - providing targeted evidence based early interventions for families in greatest need, in the context of integrated services
 - assessing need across the local community
 - acting as a hub for the local community, building social capital and cohesion
 - sharing expertise with other early year's settings to improve quality.
- 3.3 Whilst each centre will continue to offer universal provision such as developmental health checks and speech and language advice, services are also being proactively targeted to support more vulnerable families within the borough through parenting groups, family support and domestic violence programmes. The six reconfigured Children and Family Centres will form part of a hub and spoke model of services co-ordinated by a reconfigured Bromley Children Project. As a consequence family support can be provided across the Borough whether families live near a centre or not. The Bromley Children Project will target support to families across the borough that are harder to reach or engage and support them in their homes as well as encouraging them to access services at their local Children and Family Centre.
- 3.4 Some core services provided within Children and Family Centres will continue to be commissioned from external agencies and the voluntary sector.

3.5 12 Children and Family Centre sites cease to operate under the rationalised Bromley Children project model: The 12 sites which will no longer operate as council run and funded Children and Family Centres: -

- Churchfields
- Elmers End
- Griffin
- Highway
- Hawes Down
- James Dixon
- Manor Oak
- Mottingham
- Poverest
- Princes Plain
- Royston
- Widmore

3.6 The Children and Family Centres listed above will cease to operate during Spring 2012. A phased approach across January, February and March has been adopted where centres are to cease their current function which will enable staff to undertake the many administrative tasks required to alter their use and to finalise agreements with partners taking on sites. Progress regarding future usage for each site is set out in **Appendix 1**. It is anticipated that the majority of sites will have transferred by 1 April 2012 and that capital clawback will be avoided. The exception is Elmers End which will require further work as it currently has no transfer partner identified.

3.7 The planned closure timetable is currently in progress and a full equality impact assessment has been undertaken.

Clawback of Capital Investment

3.8 DfE guidance in relation to capital clawback is outlined in *Sure Start, Early Years and Childcare Grant (SSEYCG) and Aiming High for Disabled Children Grant - Capital Guidance*, and *Sure Start Children's Centres Statutory Guidance*.

3.9 Clawback is triggered where an asset either wholly or partially funded by DfE is disposed of or no longer used to meet the aims and objectives consistent with the SSEYCG grant.

3.10 Clawback applies for 25 years from the date that the Children and Family Centre was designated. This means that clawback remains relevant until the year 2032 for the majority of the centres, and the year 2036 for others.

3.11 As clawback applies for a period of 25 years it is essential to ensure all partners who take on sites are fully aware of this and that any future changes once the current agreed changes are implemented, must be consulted on through the local authority.

3.12 The guidance received from DfE is unclear and therefore it is not possible to guarantee that any of the proposed alternative uses will prevent clawback.

3.13 DfE were unable to provide a template to complete to seek to defer clawback, therefore LBB Officers developed their own based on 'the type of questions likely to be asked' which were received from colleagues in DfE. The LBB officers' template was approved by DfE who have since adopted it and shared it with other local authorities as an example of good practice.

3.14 As a test case, the LBB Template was completed and submitted for Princes Plain Children and Family Centre on 15 December 2011. Notification was received on 18 January 2012 from DfE that our case for deferral of clawback was approved but deferred not waived entirely. We were advised that DfE "*retain an interest in the asset and if in the future it has its usage changed or is otherwise disposed of, and does not continue to meet the purposes of the grant we will clawback the funding*".

4. POLICY IMPLICATIONS

4.1 There are no additional policy implications resulting from this report.

5. FINANCIAL IMPLICATIONS

5.1 In considering the future options for the use of Children and Family Centres, consideration was given to all expressions of interest received during the formal consultation which appeared to meet the criteria to prevent clawback of the capital invested. Consequently the key requirement from the perspective of the local authority in relation to the future use of these sites has been whether they meet the Department for Education's (DfE) requirements in relation to preventing capital clawback i.e. whether the proposed use meets the general purpose of the original capital grant, in this instance to provide 'early childhood services' to support children aged 0-5 and their parents/carers.

6. LEGAL IMPLICATIONS

6.1 Colleagues in Legal Services have begun drafting suitable agreements to be used with partners taking on sites to ensure they are clear that there are restrictions about the use of the premises and the time period that this extends for.

6.2 The agreement will clearly state that in the event that the partner ceases to use the site for the agreement purpose as notified to DfE and for which we have their written confirmation of deferral of clawback, the site will revert to the Local Authority. The Local Authority will be charged with identifying an alternative provider to use the site in a way which meets the DfE criteria to defer clawback. Should this occur, fresh negotiations with the DfE will be required at that time.

6.3 Where the centre has been built within the overall footprint of a school site, the building does not transfer to the school for their core business. The clawback criteria apply and the onus to ensure suitable alternative early childhood services remains with the local authority as does the responsibility for the space. DfE require a strong business case be made to evidence that the space is being used in accordance with the general purpose of the original capital grant.

6.4 If a partner taking on a site wishes to make further alterations to the site, the cost of such alterations will be not be covered by the local authority but be the responsibility of the partner. Approval for any such works must be agreed with the local authority in advance and must clearly demonstrate how they will enhance the space and improve the offer of services under the general purpose of the original capital grant. There is a risk that DfE will try to invoke clawback if they dispute the local authority's claim that the alternative uses as described meet the requirements of the original grant. Officers have notified DfE as required and await confirmation of their decisions in relation to deferral of clawback for each of the sites.

7. PERSONNEL IMPLICATIONS

7.1 The contracts for the previously employed agency staff were not renewed; all having ceased by 27 January 2012.

Non-Applicable Sections:	N/A
Background Documents: (Access via Contact Officer)	PDS Committee: Consultation Outcome: Future of Children and Family Centres 6 September 2011

**UPDATE IN RELATION TO THE CHILDREN AND FAMILY CENTRES CEASING
TO OPERATE AS LOCAL AUTHORITY LED AND FUNDED CHILDREN'S CENTRE FACILITY**

Centre	Proposed Alternative use Currently Under Exploration	Clawback Value £	Closed to Public	Transfer to Partner/DD	Funding Sourced	Status of Negotiations
Churchfields	Expansion of primary school to two form entry and development of existing EYFS provision subject to Member approval.	311,000	27 January 2012	<ul style="list-style-type: none"> Transfer to Churchfields Primary School 01 April 2012 	<ul style="list-style-type: none"> Head of Access and Admissions has confirmed funding via DSG school budget share. School will attract additional floor space funding through DSG Square Footage calculation. 	<ul style="list-style-type: none"> Head of Access and Admissions has confirmed site to be used to extend school to two form entry subject to Member approval.
Elmers End (Marian Vian)	Plans to convert into Reception/KS1 provision for children with complex/enduring needs and to support their parents/carers have ceased. There is currently no viable option under consideration.	377,000	27 January 2012	<ul style="list-style-type: none"> No transfer partner identified. Lack of outside play area barrier to alternative EYFS use. 	<ul style="list-style-type: none"> No funding identified. 	<ul style="list-style-type: none"> No alternative use identified at this stage. School indicated no wish to take on facility. Viability of establishing outside play area being considered. Advice sought from Property.
Griffins (Darrick Wood)	To run as specialist site for children with sensory impairments; consider formal link to Hawes Down; transfer management to SEN service and the Sensory Impairment Unit (SIU).	80,000	N/a	<ul style="list-style-type: none"> Seamless transfer from BCP to SEN SIU. Continued use by public throughout Management responsibilities transferred 27 January 2012 	<ul style="list-style-type: none"> Head of SEN has confirmed funding allocated. 108592 	<ul style="list-style-type: none"> Head of SEN has confirmed SIU will take on the site.

Centre	Proposed Alternative use Currently Under Exploration	Clawback Value £	Closed to Public	Transfer to Partner/DD	Funding Sourced	Status of Negotiations
Hawes Down (The Glebe)	To continue to operate as a Children and Family Centre but dedicated to supporting families with children with disabilities and additional needs, under the management of the Glebe School.	1,800,000	N/A	<ul style="list-style-type: none"> The site has been managed by the Glebe School since it opened in Summer 2011. This will continue seamlessly. 	<ul style="list-style-type: none"> Funding from variety of sources inc Children and Family Centres and Joint Disability Service – Head of Referral and Assessment and Head of SEN have confirmed budget allocated. 	<ul style="list-style-type: none"> Glebe School continuing to manage the site. Glebe School have set up Management Board which includes relevant funding partners.
Highway	Incorporate space within school to increase age range and number of children accessing the on site EYFS setting and to continue to support parents/carers.	4,100,000	N/A	<ul style="list-style-type: none"> Seamless transfer into The Highway Primary School effective 31 December 2011 	<ul style="list-style-type: none"> School to fund. School will lease space to EYFS PVI provider. School will attract additional floor space funding through DSG Square Footage calculation. 	<ul style="list-style-type: none"> Head Teacher has confirmed school will take on the site.
James Dixon	Convert into CSC Family Contact Centre for west Bromley.	387,000	24 February 2012	<ul style="list-style-type: none"> Transfer to CYP CSC, planned transfer date of 1 April 2012 subject to SMT approval. 	<ul style="list-style-type: none"> AD for Children's Social Care has confirmed funding allocated. 	<ul style="list-style-type: none"> AD for Children's Social Care has confirmed site to become Family Contact Centre for west Bromley.
Manor Oak	Incorporate space within school to increase age range and number of children accessing the on site EYFS setting and to continue to support parents/carers.	577,000	27 January 2012	<ul style="list-style-type: none"> Negotiations ongoing with Manor Oak Primary School. Subject to Governors approval and Seed Challenge funding bid. 	<ul style="list-style-type: none"> School to fund. School will attract additional floor space funding through DSG Square Footage calculation. 	<ul style="list-style-type: none"> Head Teacher has confirmed school will take on the site, subject to sign off by Governors and successful Seed Challenge funding bid.
Mottingham	Incorporate space within school to increase age range and number of children accessing the on site EYFS setting and/or enhance Reception/KS1 provision whilst continuing to provide support to parents/carers.	306,000	N/A	<ul style="list-style-type: none"> Seamless transfer into Mottingham Primary School effective 01 April 2012 	<ul style="list-style-type: none"> School to fund. School will attract additional floor space funding through DSG Square Footage calculation. 	<ul style="list-style-type: none"> Head Teacher has confirmed school will take on the site.

Centre	Proposed Alternative use Currently Under Exploration	Clawback Value £	Closed to Public	Transfer to Partner/DD	Funding Sourced	Status of Negotiations
Poverest	Local authority to tender via private, voluntary, or independent provider to set up an EYFS provision which will also maintain support to parents/carers.	265,000	27 January 2012	<ul style="list-style-type: none"> Discussions with EYC team identified sessional pre-school as most suitable type of EY setting. Tender exercise required to obtain expressions of interest in this site. 	<ul style="list-style-type: none"> Local authority to invite expressions of interest from PVI to provide suitable EYFS setting. Site will be leased to PVI provider. 	<ul style="list-style-type: none"> Head Teacher has confirmed preference for site to be used for EYFS PVI setting.
Princes Plain	Incorporate space within school but continue to offer a similar service to the existing Children and Family Centre focusing on children aged 0-12 and their parents/carers.	689,000	N/A	<ul style="list-style-type: none"> Seamless transfer into Princes Plain Primary School effective 1 April 2012. 	<ul style="list-style-type: none"> School to fund. School will attract additional floor space funding through DSG Square Footage calculation. 	<ul style="list-style-type: none"> Head Teacher has confirmed school will take on the site as they are committed to supporting families despite this being a struggle to fund.
Royston	Establish a Nurture unit for Reception/KS1 in the west of the borough to replicate the current provision at Manor Oak (Crays), so increasing opportunities for pupils in Penge and Anerley and reducing the cost of transportation.	402,000	24 February 2012	<ul style="list-style-type: none"> Negotiations ongoing with CYP SEN & Behaviour services and Royston School. 	<ul style="list-style-type: none"> Head of Access and Admissions has confirmed funding via Primary Behaviour Service 115556 	<ul style="list-style-type: none"> Head of Access and Admissions has confirmed site to be used to create a Nurture Unit for west Bromley. Ongoing negotiations between CYP and the school.
Widmore	Incorporate space within Bromley Adult Education College to increase age range and number of children accessing the on site EYFS setting.	209,000	27 January 2012	<ul style="list-style-type: none"> Negotiations ongoing with Bromley Adult Education College. Planned transfer date 1 April 2012. 	<ul style="list-style-type: none"> Acting Principal of BAEC has confirmed funding via BAEC existing Nursery provision to cover running costs. 	<ul style="list-style-type: none"> Acting Principal of BAEC has confirmed existing Nursery provision will extend.